

Amendment and Response
Applicants: Garland L. Segner et al.
Serial No.: 10/632,145

Attorney Docket: EV31008US

REMARKS

Claims 1 to 49 are pending in this application. The Examiner withdrew from consideration claims 3 to 6, 10, 11, 16, 22, 23, 26 to 29, 31, 32, 37, 43 to 47, and 49. Claims 1, 24, 45, 46, 48, and 49 have been amended. Support for the amendments to these claims can be found in FIG. 1A and the other figures. Claims 1, 2, 7 to 9, 12 to 15, 17 to 21, 24, 25, 30, 33 to 36, 38 to 42, and 48 are pending and under examination.

The Examiner objected to the language of the abstract. The abstract has been amended above to overcome this objection.

The Examiner rejected claims 1, 2, 7 to 9, 12, 14, 17 to 19, 24, 25, 30, 33 to 35, 38 to 40, and 48 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,749,837 to Palermo et al. ("Palermo").

Applicants respectfully traverse this rejection of the claims. Although Applicants disagree with the Examiner, the claims have been amended to clarify the invention. Independent claims 1, 24, 45, 46, 48, and 49 now recite that the guide wire comprises a single coil comprising a plurality of wire strands wrapped helically parallel to one another. Palermo does not teach or suggest such a structure. The Examiner states that Palermo shows a guidewire comprising "a plurality of wire strands 112, 132 helically wrapped parallel to one another...." Page 4, first paragraph, of the November 4, 2005 Office Action. As shown in FIGS. 5A and 5B of Palermo, coils 112 and 132 are not both part of a single coil. Applicants do not agree that Palermo teaches or suggest the other claimed features that are discussed on pages four and five of the November 11, 2005 Office Action. Because Palermo does not teach or suggest the claimed guide wire in which the guide wire comprises a single coil comprising a plurality of wire strands, Applicants respectfully request that the Examiner withdraw this rejection of the claims.

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The Examiner rejected claims 15, 20, 36, and 41 under 35 U.S.C. § 103(a) as unpatentable over Palermo in view of U.S. Patent No. 5,165,421 to Fleischhacker et al. ("Fleischhacker").

Applicants respectfully traverse this rejection of the claims. Although Applicants disagree with the Examiner, the claims have been amended to clarify the invention. Independent claims 1, 24, 45, 46, 48, and 49 now recite that the guide wire comprises a single coil comprising a plurality of wire strands wrapped helically parallel to one another. As discussed above, Palermo does not teach or suggest such a structure. Fleischhacker does not remedy this defect of Palermo. Fleischhacker does not teach or suggest a guide wire comprising a single coil. In Fleischhacker, two coils are formed. See FIGS. 7 to 10. The inner and outer coils are oppositely wound with the outer coil inner peripheral surface being wound in an interference fit relationship with the outer peripheral surface of the inner coil. Column 2, lines 42 to 46. The importance of the two coils is stressed throughout Fleischhacker. For instance, Fleischhacker states that: "[d]ue to the interference fit of the inner [and] outer coils throughout their axial lengths, there is substantially a 1 to 1 transmittal of torque from one end of the cable to the other regardless of the direction of rotation of the cable." Column 4, lines 47 to 51. Neither Palermo nor Fleischhacker teaches or suggests the use of a single coil. Accordingly, the combination of Palermo and Fleischhacker does not teach or suggest the claimed invention.

In addition, Palermo and Fleischhacker do not teach or suggest a guide wire in which the angle between the wire strands and the central longitudinal axis is from 10 to 45 degrees. In Palermo and Fleischhacker, the wire strands are oriented generally normal to the axis of the wound cable. In claims 21 and 42 of the subject application, the angle is from 10 to 45 degrees, which is generally or somewhat parallel to the axis of the wound cable. Fleischhacker teaches away

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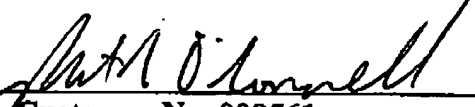
from an angle from 10 to 45 degrees. Fleischhacker states that the cable has "high torque resolution even when bent about a relatively tight radii of curvature...." Column 2, lines 59 to 65. This desired performance is satisfied by orienting wire strands generally normal to the axis of the wound cable rather than generally parallel to this axis. The subject application provides "a more flexible and torqueable distal end of the guide wire" (page 3, lines 21 and 22), in part, by having an angle from 10 to 45 degrees. See page 3, lines 3 to 23, of the application. Accordingly, Applicants respectfully request that the Examiner withdraw this rejection of the claims.

In view of the above amendments and remarks, Applicants respectfully request that the Examiner withdraw the objection to the specification and the rejections of the claims.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

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